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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation

X

This Document Relates To:

*West Hempstead Water District v. AGIP Inc., et al.*,  
03 CV 10052  
*Village of Hempstead v. Amerada Hess Corp., et al.*,  
03-CV-10055

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E.

KENNETH J. WARNER, SPECIAL MASTER:

CASE MANAGEMENT ORDER # 54A  
(Interim Discovery Schedule)

FACT DISCOVERY	
<b>Supplemental Document Production</b>  All Outstanding Supplemental Document Productions and Interrogatory Responses, including: <i>In Re: Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation</i> <ul style="list-style-type: none"><li>• Plaintiffs to produce H2M Lab documents</li><li>• Plaintiffs to produce documents identified in 7/31/09 Letter from Christopher J. Garvey to Robert Gitelman</li><li>• Plaintiffs to produce all taste and odor complaint documents, or, if previously produced, to identify each document by Bates number</li><li>• Plaintiffs to provide sample redacted Granger documents for which privilege is claimed</li><li>• Plaintiffs to identify any issues with Defendants' privilege logs</li><li>• Defendants' to produce all outstanding discovery documents</li><li>• Defendants to produce all outstanding privilege logs</li></ul>	September 11, 2009
<b>Interim Deadlines for Depositions</b>  The following depositions should be completed by October	Doc. 2894

<p>16, 2009:</p> <ul style="list-style-type: none"> <li>• <u>West Hempstead Water District</u> <ul style="list-style-type: none"> <li>○ H2M Lab Depositions (Tentative)</li> <li>○ West Hempstead Water District Rule 30(b)(6) on Preservation Issues</li> <li>○ Continuation of Frederick Kurtz</li> <li>○ Continuation of Robert York</li> <li>○ Commissioner John Sparacio</li> </ul> </li> <li>• <u>Village of Hempstead</u> <ul style="list-style-type: none"> <li>○ Village of Hempstead Rule 30(b)(6) on Preservation Issues</li> <li>○ Continuation of Michael Taylor</li> <li>○ Trustee Don Ryan</li> </ul> </li> <li>• <u>Village of Hempstead &amp; West Hempstead</u> <ul style="list-style-type: none"> <li>○ Plaintiffs' Depositions Defendants' and Third Party Witnesses</li> </ul> </li> </ul>	<p>September 18, 2009</p> <p>By October 16, 2009</p> <p>By November 20, 2009</p>
<b>Deadline to Complete Fact Depositions<sup>1</sup></b>	November 20, 2009
<b>FACT DISCOVERY CLOSES<sup>2</sup></b>	December 31, 2009

<sup>1</sup> The parties will have seven days from the close of a deposition to respond to requests for documents resulting from the deposition.

<sup>2</sup> As was done in SCWA, the parties are amenable to limited fact discovery after this date for fact issues that arise in expert discovery.

<b>EXPERTS</b>	
<b>Non Case-Specific Expert Disclosures</b>	
• Plaintiffs' Non-Case Specific Expert Reports Produced	November 20, 2009
• Defendants' Non-Case Specific Expert Reports Produced	December 21, 2009
• Parties Complete Depositions of Plaintiffs' Non-Case Specific Experts	February 1, 2010
• Parties Complete Depositions of Defendants' Non-Case Specific Experts	February 15, 2010
<b>Site-Specific Expert Reports</b>	
• Plaintiff Site-Specific Expert Reports Produced	February 15, 2010
• Defendants Affirmative Expert Reports	February 15, 2010
• Rebuttal Reports	March 15, 2010
<b>MOTIONS PRACTICE</b>	
<b>Dispositive Motions and Motions <i>In Limine</i> regarding Trial Phasing</b>	April 15, 2010
<b>Daubert Motions</b>	10 days after the close of each expert's deposition

SO ORDERED this 30 day of November 2009.



Special Master Kenneth E. Warner

*So Ordered*  
*Ken E. Warner*  
*12/10/09*